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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 LUXEYARD, INC.,) 3:15-cv-00357-LRH-WGC
10 Plaintiff,)
11 vs.) **ORDER**
12 KAY HOLDINGS, INC., SANO HOLDINGS,)
13 INC., and ROBERT WHEAT,)
14 Defendants.)
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16 Before the court is counsel's Response to Order to Show Cause. (ECF No. 81.) In view of
17 counsel's explanation, the court will not take any further action at this time regarding Mr. Aston's
18 *pro hac vice* status in this matter.

19 The court remains concerned, however, that Plaintiff has not filed a response to Defendant
20 Wheat's motion to dismiss (ECF No. 52). Plaintiff made a motion to allow it to pursue jurisdictional
21 discovery to be able to oppose Wheat's motion to dismiss (ECF No. 63). District Judge Larry R.
22 Hicks granted Plaintiff leave to undertake jurisdictional discovery and stated Plaintiff had 20 days
23 after completion of jurisdictional discovery to respond to Defendant's motion. (ECF No. 66.)

24 Plaintiff's explanation is that in lieu of filing a response to the motion to dismiss within the
25 time frame established by Judge Hicks, Plaintiff instead filed a motion for leave to file an amended
26 complaint to add jurisdictional allegations. (ECF No. 81 at 4, citing ECF No. 73.) It appears to the
27 Undersigned that Plaintiff's motion to amend (ECF No. 73) may not be, in and of itself, a sufficient
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1 response to Wheat's motion to dismiss, but that is a matter the Undersigned leaves to counsel and
2 Judge Hicks.

3 DATED: July 1, 2016.

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5 WILLIAM G. COBB
6 UNITED STATES MAGISTRATE JUDGE

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